

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND SEVEN

PRESENT
THE HON'BLE SRI JUSTICE BILAL NAZKI
and
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

–
WRIT PETITION No.17208 of 2003

–
Between:

Manepalli Tirupathi Rao.

..... PETITIONER

AND

1.The Registrar (General),

Andhra Pradesh High Court, Hyderabad and 2 others.

.....RESPONDENTS

–
The Hon'ble Sri Justice Bilal Nazki
and
The Hon'ble Sri Justice Nooty Ramamohana Rao

–
Writ Petition No.17208 of 2003

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Order: *(Per Hon'ble Sri Justice Bilal Nazki)*

The petitioner has challenged the promotion of the
third respondent to the post of the Head Clerk on the ground

that the rules framed under Andhra Pradesh Judicial Ministerial Service_Rules, 1964 were not adhered to.

It appears that the promotion of the third respondent was made in terms of G.O.Ms.No.5 Social Welfare (SW.ROR.1) Department, dated 14-02-2003 and G.O.Ms.No.21 Social Welfare (ROR.1) Department, dated 18-03-2003, which had not been adopted by the High Court of Andhra Pradesh.

The learned Counsel appearing for the High Court of Andhra Pradesh submits that although G.O.Ms.Nos.5 and 21 dated 14-02-2003 and 18-02-2003 were issued by the State Government in terms of Article 16(4A) of the Constitution enabling the State to make provisions in the matters of reservation for promotion, in cases of Scheduled Castes and Scheduled Tribes, the High Court of Andhra Pradesh had also given effect to such Government Orders by its Circular in ROC.No.496/2003-C.1(3), dated 30-12-2003.

Since the High Court of Andhra Pradesh had already adopted the Government Orders issued by the State Government in terms of Article 16 (4A) of the Constitution, we do not think that in the absence of any challenge to such Government Orders, the Writ Petition can succeed.

The Writ Petition deserves to be dismissed and it is, accordingly, dismissed. No costs.

(Bilal Nazki, J)

3rd January, 2007

(Nooty Ramamohana Rao, J)

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